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C O N F I D E N T I A L SECTION 01 OF 02 MANAMA 001608

SIPDIS

STATE FOR NEA/ARPI

E.O. 12958: DECL: 10/20/2014

TAGS: PHUM PGOV ASEC BA

SUBJECT: HUMAN RIGHTS ACTIVIST PLEADS NOT GUILTY,  
ALTERCATION OUTSIDE COURTHOUSE

REF: A. MANAMA 1503

B. MANAMA 1501

C. MANAMA 1482

Classified by DCM Susan L. Ziadeh for reasons 1.4 (b) and (d).

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Summary  
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11. (C) Human rights activist Abdul Hadi Al Khawaja October 16 pleaded not guilty to charges of inciting hatred against the regime and circulating false information about top officials. During the opening session of his trial October 20, Al Khawaja repeated his plea and asserted that at the September 24 symposium he had simply presented information demonstrating the prevalence of poverty in Bahrain and had held the government responsible for the situation. Outside the courtroom, a small group of demonstrators pushed up against police lines, prompting the police to lob a tear gas canister into the crowd. They disbursed rapidly and peacefully. Despite the government extending an apparent olive branch to Nabil Rajab, one of Al Khawaja's chief supporters, Rajab refused to consider a compromise, apparently believing that public opinion is on his side and will force the government to seek a way out. End Summary.

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Plea of Not Guilty  
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12. (U) At an initial hearing in court October 16, human rights activist Abdul Hadi Al Khawaja pleaded not guilty to charges of inciting hatred against the regime and circulating false information about top officials. The hearing was delayed for about 90 minutes as some 200 supporters crowded the courthouse compound and courtroom and chanted slogans in support of Al Khawaja and against Prime Minister Khalifa. Police escorted Al Khawaja in front of the judge long enough for him to enter his plea and then quickly departed the area. The judge refused a defense request to release the prisoner on his own recognizance, and scheduled the trial to begin on October 20. Despite some jostling, there were no confrontations. Following the 10-minute session, Al Khawaja's wife pleaded for his release.

13. (C) According to Nabil Rajab, president of the now-closed Bahrain Center for Human Rights, some altercations broke out between police and the approximately 50-200 supporters present at the court compound for the October 20 session, leading the police to launch one canister of tear gas into the crowd. Rajab told Pol/Econ chief that security was very tight at the courthouse and only 20 supporters of Al Khawaja were permitted to enter the courtroom, including Rajab and Shaikh Ali Salman, who is president of the Shia opposition Al Wifaq political society.

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Al Khawaja Asserts GOB Responsible for Poverty  
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14. (C) Rajab reports that at the hearing, the judge again asked Al Khawaja to enter his plea, which he did. The judge asked Al Khawaja about the character of his remarks at the September 24 symposium on poverty, the event that led to his arrest. Al Khawaja replied that he had presented figures on income and unemployment and asserted that the GOB was responsible for the dismal economic prospects for the poor of the country. Al Khawaja's lawyers argued that the charges were unconstitutional because the 2002 constitution protects freedom of speech. The judge then called for a recess to consider the opening statements. After about 45 minutes, and following the outbreak of altercations between the police and demonstrators outside the courthouse, the judge postponed the trial until Monday, October 25.

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Pushing, Shoving, then Departure  
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15. (C) Rajab told us that clashes broke out following the arrest of a protester outside the courthouse. One particularly vocal demonstrator demanded to enter the

courtroom. The police told him he could enter but then arrested him and took him away. Word of the arrest spread among the demonstrators and they began pushing against police lines. The police lobbed a tear gas canister into the crowd, causing the crowd to disburse. Rajab said that the gas seeped into the courtroom and spectators moved outside. Ali Salman spoke to the demonstrators and told them that it was important for them and for Bahrain to express their views peacefully, and he urged them to go home, which they did. There were no injuries. An Embassy security mobile patrol arrived on the scene minutes after the confrontation, and there was no sign of the crowd.

16. (C) When asked whether there might be some room for compromise between the government and Al Khawaja, Rajab said that Minister of State (and PM confidant) Abdul Nabi Al Shoala had invited Rajab to his home recently to discuss a deal. He proposed that Rajab state publicly that Al Khawaja had made a mistake, and that Rajab call on the Prime Minister at his office. Rajab refused, stating his concern that the PM or his staff would tell the media that Rajab had apologized, something he would not do. Despite discussion about several possible options for compromise with the government, Rajab remained adamant that the government had to take the first step to defuse the situation.

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Comment  
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17. (C) Al Khawaja and Rajab remain stubbornly steadfast in their position, apparently believing public opinion is on their side and will play a role in getting the government to seek a way out. But the GOB's ongoing prosecution of Al Khawaja's case seems to indicate that the PM does not intend to back down. Although there appears to be ample room for common ground and compromise, both sides continue to paint themselves into corners, increasing the possibility that Al Khawaja will be convicted and remain in jail.

MONROE